

**United States District Court**  
**EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

INNOVATION SCIENES, LLC,	§	
Plaintiff,	§	
	§	CIVIL ACTION No. 4:18-CV-474
v.	§	Judge Mazzant
	§	
AMAZON.COM, INC., ET AL.,	§	
Defendants.	§	

**VERDICT OF THE JURY**

In answering the following questions and completing this Verdict Form, you are to follow all the instructions I have given you in the Court's Final Jury Instructions. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer the questions in this Verdict Form.

We, the Jury, find as follows:

**QUESTION 1: INFRINGEMENT**

Has Innovation Sciences proven, by a preponderance of the evidence, that Amazon infringed **ANY** of the asserted claims?

Yes \_\_\_\_\_

No \_\_\_\_\_ ✓

**Please proceed to the next question.**

**QUESTION 2: INVALIDITY**

Did Amazon prove by clear and convincing evidence that the following claims of the asserted patents are invalid?

*Answer "Yes" or "No" for each claim. "Yes" is a finding for Amazon. "No" is a finding for Innovation Sciences.*

**'983 Patent**

Claim 22:	YES: <u>✓</u>	NO: <u>      </u>
Claim 24:	YES: <u>✓</u>	NO: <u>      </u>
Claim 39:	YES: <u>✓</u>	NO: <u>      </u>
Claim 62:	YES: <u>✓</u>	NO: <u>      </u>
Claim 64:	YES: <u>✓</u>	NO: <u>      </u>
Claim 67:	YES: <u>✓</u>	NO: <u>      </u>
Claim 80:	YES: <u>✓</u>	NO: <u>      </u>
Claim 105:	YES: <u>✓</u>	NO: <u>      </u>
Claim 108:	YES: <u>✓</u>	NO: <u>      </u>

**'918 Patent**

Claim 28:	YES: <u>✓</u>	NO: <u>      </u>
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**'798 Patent**

Claim 5:	YES: <u>✓</u>	NO: <u>      </u>
Claim 6:	YES: <u>✓</u>	NO: <u>      </u>
Claim 52:	YES: <u>✓</u>	NO: <u>      </u>

**Please proceed to the next question.**

**QUESTION 3: PATENT INELIGIBILITY**

This question relates to patent **eligibility** and is unrelated to Question 2: Invalidity. Did Amazon prove by clear and convincing evidence that, when taken individually or when taken as an ordered combination, the following claims involved **ONLY** technology which a person of ordinary skill in the art would have considered to be well-understood, routine, and conventional as of August 10, 2006?

*Answer "Yes" or "No" for each claim. "Yes" is a finding for **Amazon**. "No" is a finding for **Innovation Sciences**.*

**'983 Patent**

Claim 22:	YES: <u>✓</u>	NO: _____
Claim 24:	YES: <u>✓</u>	NO: _____
Claim 39:	YES: <u>✓</u>	NO: _____
Claim 62:	YES: <u>✓</u>	NO: _____
Claim 64:	YES: <u>✓</u>	NO: _____
Claim 67:	YES: <u>✓</u>	NO: _____
Claim 80:	YES: <u>✓</u>	NO: _____
Claim 105:	YES: <u>✓</u>	NO: _____
Claim 108:	YES: <u>✓</u>	NO: _____

**'918 Patent**

Claim 28:	YES: <u>✓</u>	NO: _____
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**QUESTION 3 – Continued**

**'798 Patent**

Claim 5:	YES: <u>✓</u>	NO: _____
Claim 6:	YES: <u>✓</u>	NO: _____
Claim 52:	YES: <u>✓</u>	NO: _____

**Please proceed to the next page.**

**If you answered “NO” to Question 1 OR “YES” to ALL the Asserted Claims listed in Question 2, then DO NOT answer Questions 4 or 5.**

**Answer Questions 4 and 5 ONLY as to any Asserted Claim that you have found BOTH to be infringed and not invalid.**

**QUESTION 4a: DAMAGES (IF APPLICABLE)**

What sum of money, if paid in cash today, do you find Innovation Sciences has proven, by a preponderance of the evidence, would fairly and reasonably compensate Innovation Sciences for Amazon's infringement of the asserted patents?

\$ \_\_\_\_\_

**QUESTION 4b**

Did you calculate the amount you found in Question 4a based on a running royalty or a one-time lump sum?

Check **one** of the following:

Running Royalty \_\_\_\_\_

*OR*

Lump-sum \_\_\_\_\_

**Please proceed to the next question.**



**QUESTION 5: WILLFULNESS**

For any patent that you found infringed and not invalid, did Innovation Sciences prove, by a preponderance of the evidence, that Amazon's infringement of that patent was willful?

*Answer "Yes" or "No" for each patent below. "Yes" is a finding for **Innovation Sciences**. "No" is a finding for **Amazon**.*

'983 Patent:      YES \_\_\_\_\_ NO \_\_\_\_\_

'918 Patent:      YES \_\_\_\_\_ NO \_\_\_\_\_

'798 Patent:      YES \_\_\_\_\_ NO \_\_\_\_\_

**Please proceed to the Final Page of the Verdict Form.**



**FINAL PAGE OF THE JURY VERDICT FORM**

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your unanimous determinations. The jury foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The jury foreperson should keep the Verdict Form and bring it when the jury is brought back into the courtroom.

Dated: 9/2/20 Jury Foreperson: